



Application No. 09/996,849  
Amendment Transmittal Dated March 11, 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 09/996,849  
Applicant(s): Michael K. Davis  
Filed: 11/27/2001  
TC/A.U.: 2654  
Examiner: David D. Knepper  
Docket No.: 50031.0020

Confirmation No.: 4891

Customer No: 36178

Mail Stop Non-Fee Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

AMENDMENT TRANSMITTAL

1. Transmitted herewith is
- Amendment Pursuant to 37 C.F.R. 1.111 for this application (13 Pages)
  - Post Card

CERTIFICATION UNDER 37 C.F.R. 1.8(a) and 1.10

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

- ☐ deposited with the United States Postal Service in an envelope addressed to the Mail Stop Non-Fee Amendment, Commissioner for Patents, Alexandria, P.O. Box 1450, VA 22313-1450.
- ☐ with sufficient postage as first class mail. ☒ as "Express Mail Post Office to Addressee," Mailing Label No. EU957029315US

TRANSMISSION

- ☐ transmitted by facsimile to the Patent and Trademark Office.

Date: March 11, 2005 Signature

Alla Meyer

Alla Meyer

(type or print name of person certifying)

## STATUS

2. Applicant is  
☒ a small entity. A statement:  
☐ is attached.  
☒ was already filed.  
☐ other than a small entity.

## EXTENSION OF TERM

NOTE: "Extension of Time in Patent Cases (Supplement Amendments) -- If a timely and complete response has been filed after a Non-Final Office Action, an extension of time is not required to permit filing and/or entry of an additional amendment after expiration of the shortened statutory period.

*If a timely response has been filed after a Final Office Action, an extension of time is required to permit filing and/or entry of a Notice of Appeal or filing and/or entry of an additional amendment after expiration of the shortened statutory period unless the timely-filed response placed the application in condition for allowance. Of course, if a Notice of Appeal has been filed within the shortened statutory period, the period has ceased to run." Notice of December 10, 1985 (1061 O.G. 34-35).*

NOTE: See 37 C.F.R. Section 1.645 for extensions of time in interference proceedings, and 37 C.F.R. Section 1.550(c) for extensions of time in reexamination proceedings.

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. Section 1.136 apply.

*(complete (a) or (b), as applicable)*

- (a) ☐ Applicant petitions for an extension of time under 37 C.F.R. Section 1.136 (fees: 37 C.F.R. Section 1.17(a)(1)-(4)) for the total number of months checked below:

	Extension (months)	Fee for other than <u>small entity</u>	Fee for <u>small entity</u>
<input type="checkbox"/>	one month	\$ 120.00	\$ 60.00
<input type="checkbox"/>	two months	\$ 450.00	\$ 225.00
<input type="checkbox"/>	three months	\$ 1020.00	\$ 510.00
<input type="checkbox"/>	four months	\$ 1,590.00	\$ 795.00
<input checked="" type="checkbox"/>	five months	\$ 2,160.00	\$1,080.00

Fee: \$ 1,080.00

If an additional extension of time is required, please consider this a petition therefor.

*(check and complete the next item, if applicable)*

- ☐ An extension for \_\_\_\_\_ months has already been secured. The fee paid therefor of \$ \_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$ \_\_\_\_\_

OR

- (b) ☐ Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

### FEE FOR CLAIMS

4. The fee for claims (37 C.F.R. Section 1.16(b)-(d)) has been calculated as shown below:

(Col.1)		(Col. 2)		(Col. 3) SMALL ENTITY			OTHER THAN A SMALL ENTITY	
Claims Remaining After Amendment		Highest No. Previously Paid For		Present Extra	Rate	Addit. Fee	OR	Addit. Fee
Total	17 Minus	17	= 0	x \$25 =	\$0.00			x \$50 = \$0.00
Indep.	5 Minus	5	=0	x \$100 =	\$0.00			x \$200 = \$0.00
<input type="checkbox"/> First Presentation of Multiple Dependent Claim					+ \$180 =	\$		+ \$360 = \$
					Total Addit. Fee	<u>\$0.00</u>	OR	Total Addit. Fee <u>\$0.00</u>

- \* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3,  
\*\* If the "Highest No. Previously Paid For" IN THIS SPACE is less than 20, enter "20".  
\*\*\* If the "Highest No. Previously Paid For" IN THIS SPACE is less than 3, enter "3".  
The "Highest No. Previously Paid For" (Total or Indep.) is the highest number found in the appropriate box in Col. 1 of a prior amendment or the number of claims originally filed.

**WARNING:** "After final rejection or action (Section 1.113) amendments may be made canceling claims or complying with any requirement of form which has been made." 37 C.F.R. Section 1.116(a) (emphasis added).

(complete (c) or (d), as applicable)

- (c) ☒ No additional fee for claims is required.

OR

- (d) ☐ Total additional fee for claims required \$ \_\_\_\_\_.

### FEE PAYMENT

5. ☐ Attached is a check in the sum of \$ \_\_\_\_\_.  
☒ Charge Account No. 502398 the sum of \$ 1,080.00.

A duplicate of this transmittal is attached.

**FEE DEFICIENCY**

*NOTE: If there is a fee deficiency and there is no authorization to charge an account, additional fees are necessary to cover the additional time consumed in making up the original deficiency. If the maximum, six-month period has expired before the deficiency is noted and corrected, the application is held abandoned. In those instances where authorization to charge is included, processing delays are encountered in returning the papers to the PTO Finance Branch in order to apply these charges prior to action on the cases. Authorization to charge the deposit account for any fee deficiency should be checked. See the Notice of April 7, 1986, (1065 O.G. 31-33).*

6. ☒ If any additional extension and/or fee is required, charge Account No. 502398.

**AND/OR**

- ☒ If any additional fee for claims is required, charge Account No. 502398.

Date: 3/11/05

  
SIGNATURE OF PRACTITIONER

Lee G. Meyer

(type or print name of practitioner)

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**USPTO CUSTOMER NO. 36178**



03-14-05

87W 2654

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**AMENDMENT PURSUANT TO 37 CFR §1.111**

Sir:

This Amendment is submitted in response to the non-final Office Action dated July 15, 2004, which set a shortened statutory period of three months, making any response due by October 15, 2004. In accordance with 37 C.F.R. §1.136, Applicant may respond after October 15, 2004 upon request for an extension of time and submitting a fee in the amount set forth in 37 C.F.R. §1.17. The period of extension and corresponding fee is determined by the Amendment's filing date, making a five months extension due by March 15, 2005 with an extension fee of \$1080.00 (small entity). Applicants hereby request a five months extension of

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**37 C.F.R. 1.8(a)**

- ☐ with sufficient postage as first class mail.

**37 C.F.R. 1.10\***

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Mailing Label No. EU957029315US

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Date: March 11, 2005

Signature

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time and the fee for the extension is enclosed. Entry of this Amendment and reconsideration of the rejections in light of the amendments to the claims and the arguments contained in this Amendment are respectfully requested. Early and favorable action is further requested.

Amendments to the Specification: Start on page 3

Amendments to the Claims are reflected in the listing of claims, which begins on page 3 of this paper.

Amendments to the Drawings: NONE

Remarks/Arguments begin on page 7 of this paper.